

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

UNITED STATES OF AMERICA )  
 )  
 v. ) Case No.: 3:06cr126-WHA  
 )  
 JOHN JENNINGS, II )

## **UNOPPOSED MOTION TO CONTINUE TRIAL**

**COMES NOW** the Defendant, John Jennings, II, by and through undersigned counsel, Kevin L. Butler, and moves this Court for a continuance of his trial setting of November 5, 2007. In support of this motion, Defendant would show:

1. Mr. Jennings is charged with using the mail (or means of commerce) to knowingly induce a person who has not attained the age of 18 to engage in sexual activity in violation of 18 U.S.C. § 2251(a).

2. Based upon the unique competency, mental and psychiatric issues, the government and undersigned counsel are attempting to formulate a resolution of the case. The finalization of the terms will not be completed on or before November 5, 2007.

3. Further, undersigned counsel is expecting his first child this week. After the birth of the child undersigned counsel is scheduled to take two weeks paternity leave.

4. The United States, through Assistant United States Attorney Susan Redmond, does not oppose the granting of a continuance.

**WHEREFORE**, for the foregoing reasons, Mr. Jennings respectfully requests that his trial date be continued from the presently scheduled date of November 5, 2007.

Dated this 17<sup>th</sup> day of October, 2007.

Respectfully submitted,

s/ Kevin L. Butler  
KEVIN L. BUTLER  
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Montgomery, Alabama 36104  
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## **CERTIFICATE OF SERVICE**

I hereby certify that on October 17, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Susan Redmond, Esquire  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, Alabama 36104

Respectfully submitted,

s/ Kevin L. Butler  
KEVIN L. BUTLER  
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